APPENDIX:

4. (Amended) Nucleic acid molecule according to claim 1 [any of the preceding claims], characterized in that it is present in single-stranded or double-stranded form.

5. (Amended) Nucleic acid molecule according to claim 1 [any of the preceding claims], characterized in that it is present

(i) as DNA sequence or

(ii) as RNA sequence corresponding to (i) or

(iii) as PNA sequence,

where the nucleic acid molecule is modified, where appropriate, in a manner known per se for analytical detection methods, in particular for those based on hybridization and/or amplification.

6. (Amended) Nucleic acid molecule according to claim 1 [any of the preceding claims], characterized in that up to 20% of at least 10 successive nucleotides of its nucleotide chain, in particular 1 or 2 nucleotides, have been replaced by analogous building blocks known per se for probes and/or primers, in particular by nucleotides not naturally present in bacteria.

7. (Amended) Nucleic acid molecule according to claim 1 [any of the preceding claims], characterized in that the nucleic acid molecule has been modified or labeled by or additionally by having one or more radioactive groups, colored groups, fluorescent groups, groups for immobilization on a solid phase and/or groups for an indirect or direct reaction, in particular for an enzymatic reaction, in particular with the aid of antibodies, antigens, enzymes and/or substances with affinity to enzymes or enzyme complexes, and/or otherwise modifying or modified groups of a nucleic acid-like structure.

8. (Amended) Kit for analytical detection methods, in particular for detecting bacteria of the species *Listeria monocytogenes*,

characterized by one or more nucleic acid molecules according to claim 1 [any of the preceding claims].

9. (Amended) Use of one or more [or] of nucleic acid molecules according to claim 1 [any of claims 1 to 7 or of a kit according to claim 8] for detecting the presence of absence of bacteria of the species *Listeria monocytogenes*.

12. (Amended) Use according to claim 1 [(sic)], characterized in that the bacteria to be detected are distinguished from the bacteria not to be detected on the basis of differences in the genomic DNA and/or RNA in at least one nucleotide position in the region of one of the nucleic acid molecules [according to claim 3].